

U.S.S.N.: 10/773,023  
Response to Notice to File Missing Parts

*best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.*

- 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- 37 C.F.R. § 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a)).
- 37 C.F.R. § 1.17 (application processing fees)

**NOTE:** *"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission."* 37 C.F.R. § 1.136(a)(3).

- 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

**NOTE:** *Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance.* 37 C.F.R. § 1.311(b).

**NOTE:** 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee . . ." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

Respectfully submitted,



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Date: July 7, 2004  
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Attorney's Ref. No.: 60816(71719)

## Declaration and Power of Attorney For Patent Application



特許出願宣言書及び委任状

## Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は、下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名前が明確に請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名前が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Film Holder and Image Reading Control ApparatusFILM HOLDER AND IMAGE READING CONTROL APPARATUS上記発明の明細書（下記の欄で×印がついていない場合は、本  
書に添付）は、the specification of which is attached hereto unless the  
following box is checked:

2004年2月4日に提出され、米国出願番号または  
特許協定条約 国際出願番号を 10/773,023 とし、  
(該当する場合)    に訂正されました。

was filed on February 4, 2004  
as United States Application Number or  
PCT International Application Number  
10/773,023 and was amended on  
   (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容  
を理解していることをここに表明します。I hereby state that I have reviewed and understand the contents  
of the above identified specification, including the claims, as  
amended by any amendment referred to above.私は、連邦規則法典第37編第1条66項に定義されるとおり、  
特許資格の有無について重要な情報を提示する義務があることを  
認めます。I acknowledge the duty to disclose information which is material  
to patentability as defined in Title 37, Code of Federal  
Regulations, Section 1.56.

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

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## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a) - (d)項又は365条(b)項に基づき下記の、米国以外の国の中から少なくとも1ヶ国を指定している特許協力条約365条(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s) 外国での先行出願

<u>P2003-028854</u>	<u>Japan</u>	<u>5/February/2003</u>
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)
<u>P2003-037447</u>	<u>Japan</u>	<u>14/February/2003</u>
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)

私は、第35編米国法典119条(a)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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私は下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際出願出日までの期間中に入手された、連邦規則法典第37編1章365項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私が入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣言を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし



I hereby claim the benefit under Title 35, United States Code, Section 119 (a) of any United States provisional application(s) listed below.

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365 (a) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application:

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)	<u>(Status: Patented, Pending, Abandoned)</u> (現況: 特許許可済、係属中、放棄済)
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<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)	<u>(Status: Patented, Pending, Abandoned)</u> (現況: 特許許可済、係属中、放棄済)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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## Japanese Language Declaration

(日本語宣言書)

委任状： 私は、下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁理士、または代理人の氏名及び登録番号を明記のこと）

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